

UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: GROSS, Richard A., et al.

Application No.: 10/804,778

Filing Date: 03/19/2004

Title: SPERMICIDAL AND VIRUCIDAL
PROPERTIES OF VARIOUS FORMS
SOPHOROLIPIDS

Art Unit: 1623

Examiner: Goon, S.Y.

Confirmation No.: 7749

Customer No.: 25461

Docket No.: 048467.01101

PRELIMINARY AMENDMENT

Via EFS

9 March 2010

Commissioner of Patents
PO Box 1450
Alexandria VA 22313-1450

Sir:

In connection with the contemporaneously filed RCE (Request for Continued Examination), prior to examining the patent application, amend it as follows.

Status begins on page 2.

Summary of Fees Due begins on page 2.

Claims Listing begins on page 3.

Remarks begin on page 7.

STATUS

Claims 58-63, 68,69, and 75-79 are pending.

Claims 58-63, 68,69, and 75-79 are rejected under 35 USC 112 for allegedly omitting an essential step.

Claims 58-63, 68,69, and 75-79 are rejected under 35 USC 102(b) as being anticipated by an article by Bisht et al., J. Org. Chem. 64, 780-789 (1999) (the Bisht reference).

SUMMARY OF FEES DUE

1. Extension of Time or Fee.

This Response is being filed with a separate Petition for a 3-month extension of time up to and including 9 March 2010 and the requisite fee for a small entity.

2. RCE Fee.

This Preliminary Amendment is being filed with an RCE, and the appropriate fee for the RCE filing is being submitted herewith.

3. No Excess Claims Fee is necessary.

The fee for fifty-four (54) total claims and ten (10) independent claims already has been filed. This Response results in no more than fifty-four (54) total claims and ten (10) independent claims, and no excess claims fee is due.